

Submitted electronically via FOIAonline Portal:

June 6, 2023

RE: Public Records Request Pertaining to the Compressor Station at 50 Bridge St, Weymouth, MA

Pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 *et seq.*, Conservation Law Foundation (“CLF”) respectfully requests the following records in the possession or control of the Environmental Protection Agency (“EPA”) pertaining to the compressor station located at 50 Bridge St, Weymouth, MA 02191 (the “Facility”), from May 2018 to present:

1. The Facility’s current permit(s) and license(s), including those issued under the Massachusetts “Air Pollution Control” regulations,¹ Clean Air Act,² Clean Water Act,³ and the Resource Conservation and Recovery Act,⁴ including but not limited to the Facility’s Massachusetts Non-Major Comprehensive Air Quality Plan⁵;
2. Compliance documents associated with the Facility’s permit(s) and license(s), Non-Major Comprehensive Air Quality Plan, and statutory and regulatory environmental requirements, including but not limited to notices of noncompliance, notices of monitoring requirement violations, and notices of exceedances of emission limitations;
3. All documents associated with the Facility’s Leak Detection and Repair Program, required by its Non-Major Comprehensive Air Quality Plan and 40 C.F.R. Part 60, including documents referencing components monitored, leaks identified, the date of each repair, the dates of re-monitoring to validate repairs, an up-to-date Delay of Repair list (including the basis for being on that list), and any additional items to document compliance;
4. All records related to any inspections of the Facility by any local, state, and/or federal agencies;

¹ 310 CMR 7.00.

² 42 U.S.C. §§ 7401 *et seq.* and implementing regulations.

³ 33 U.S.C. §§ 1251 *et seq.* and implementing regulations.

⁴ 42 U.S.C. §§ 6921 *et seq.* and implementing regulations.

⁵ MassDEP approved a version of this plan on August 26, 2019. MassDEP, Weymouth Air Quality Plan Approval (Aug. 26, 2019), <https://www.mass.gov/doc/air-quality-plan-approval-august-2019/download>.

5. Monitoring reports mandated by the monitoring requirements described in the Facility's permit(s), Non-Major Comprehensive Air Quality Plan, and/or as required by local, state and federal statutes and regulations, including but not limited to reports on emission testing, sound impact testing, and gas release events;
6. The Facility's impacts on or violations of the National Ambient Air Quality Standards ("NAAQS"), including those relating to the EPA's Significant Impact Levels ("SILs");
7. Enforcement response documents associated with the Facility, including those documents relating to formal and informal response enforcement, including but not limited to letters of warning, notices of violation, and administrative orders;
8. Documents concerning ownership of the Facility, including documents relating to the transfer of ownership;
9. Consent agreements, court orders, administrative orders, or other orders governing the terms or status of the Facility's compliance with its permit(s); and
10. Any citizens' complaints associated with the Facility.

Please provide the requested records in electronic format if possible. To the extent you believe any requested record is exempt from disclosure, please provide a log identifying which documents you claim are exempt, specify the exemption or privilege that you assert is applicable, and explain why you believe such exemption or privilege is applicable.

Request for a Fee Waiver

CLF requests that any fees incurred in conjunction with this request be waived, as the request concerns the operations or activities of the government, it is likely to contribute significantly to public understanding of the operations or activities of the government, it is not primarily in the commercial interest of the requester, and the primary interest is in disclosure. 5 U.S.C. §552(a)(4)(A)(iii); 40 C.F.R. §2.107(l).

Factor 1. The subject of the request:

CLF seeks the information referred to in this request to better understand issues relating to the compressor station located at 50 Bridge St, Weymouth, MA, and its effects on the surrounding Weymouth community. The requested records directly concern the operations and activities of the EPA in its role as the primary enforcer and administrator of the Clean Water Act, Clean Air Act, and Resource Conservation and Recovery Act in Massachusetts. The request also concerns the National Ambient Air Quality Standards, including the Significant Impact Levels established by the EPA.

Factor 2. The informative value of the information to be disclosed:

The records requested by CLF will provide CLF, its members, and the general public with an increased understanding of the permitting operations and activities of the EPA as they relate to permit applications and pollutant discharges and exceedances from the compressor station into the River and Weymouth Fore River.

Factor 3. The contribution to an understanding of the subject by the public is likely to result from disclosure:

The requested records will also contribute to a public understanding because communications is an integral part of CLF's advocacy. We have a professional communications team that develops multi-media strategic communications plans for our initiatives and campaigns designed to deliver our message on multiple platforms to reach and engage diverse audiences. Communications tactics may include traditional media outreach, opinion pieces, blogs, features, and the creation and distribution of visual content to build a strong narrative and raise public awareness. We also disseminate environmental news and analysis by our staff of experts to CLF members throughout New England via our website and email communications. As of May 2023, CLF's Facebook audience is 21k, on Twitter, CLF has 9.3k followers, on LinkedIn, we can reach 3,690 followers, and on Instagram, we have 2,337 followers. CLF has also been quoted in media outlets including The Boston Globe, WBUR, Our Daily Planet, Chelsea Record, and many others.

Factor 4. The significance of the contribution to public understanding:

The public's understanding of the factual and policy issues as well as information concerning air emissions and stormwater pollution in and around the Weymouth community and Weymouth Fore River will be enhanced to a significant extent by disclosure of the requested records.

Factor 5. The existence and magnitude of a commercial interest:

CLF is a 501(c)(3) non-profit environmental organization with no commercial interests whatsoever.

Factor 6. The primary interest in disclosure:

As CLF is a non-profit public interest environmental organization with no commercial interests whatsoever, CLF's primary (and only) interest in the requested disclosure is non-commercial and entirely in the public interest.



In the event that our request for a fee waiver is denied, we request that the total cost be minimized by providing the information in electronic format. Also, if fees are assessed, please provide in advance a written, itemized, good faith estimate of such fees.

We look forward to your written response within twenty business days from this request. Please do not hesitate to contact me at 617-850-1756 or aharrynanan@clf.org if you have any questions. Thank you in advance for your time and attention to this matter.

Sincerely,
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